

The Honorable THOMAS S. ZILLY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

PACIFIC BELLS, LLC; BRUNSWIKST,
LLC; and WOW DISTRIBUTING, INC.,
in their own and on behalf of similarly
situated employers,

and

MELISSA JOHNSTON; LENA
MADDEN; JUDI CHAPMAN;
KATHERINE SOLAN; JOHN
EDMUNDSON; and MIKE LINDBO,
individuals on their own behalf and on
behalf of similarly situated employees,

Class Plaintiffs,

v.

JAY INSLEE, in his capacity as Governor
of the State of Washington; CAMI FEEK,
in her capacity as the Commissioner and
Chief Executive Officer of the Washington
Employment Security Department;
DONALD CLINTSMAN, in his capacity
as the Acting Secretary of the Washington
Department of Social and Health Services;
and THE LONG-TERM SERVICES AND
SUPPORTS TRUST FUND, an employee
benefit plan,

Defendants.

NO. 21-cv-01515-TSZ

NOTICE OF SUPPLEMENTAL
AUTHORITY IN SUPPORT OF
MOTION TO DISMISS

NOTE ON MOTION CALENDAR:

FEBRUARY 18, 2022

Pursuant to Local Civil Rule 7(n), Defendants respectfully submit this Notice of Supplemental Authority in support of its Motion to Dismiss (Dkt. #17), particularly applicable to Sections II.C and IV.A of such motion at pages 5-6 and 8-12.

1. Long-Term Services and Supports Trust Program—Delay and Qualified Individuals, Wash. Laws of 2022, ch. 1 (delaying the collection of WA Cares premiums to July 1, 2023 and making other changes to the program) (effective January 27, 2022);¹
2. Long-Term Services and Supports Trust Program—Voluntary Exemptions, Wash. Laws of 2022, ch. 2 (making certain changes to the WA Cares program) (effective June 9, 2022).²

DATED this 31st day of January, 2022.

ROBERT W. FERGUSON
Attorney General

s/ William McGinty
WILLIAM MCGINTY, WSBA NO. 41868
JACOB DISHON, WSBA NO. 46578
Assistant Attorneys General
DANIEL J. JUDGE, WSBA NO. 17392
Senior Counsel

Attorneys for Defendants

¹ Available at <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1732-S.SL.pdf?q=20220128103929>.

² Available at <https://lawfilesexternal.wa.gov/biennium/2021-22/Pdf/Bills/Session%20Laws/House/1733-S.SL.pdf?q=20220128104237>.

CERTIFICATE OF SERVICE

I certify that on the date indicated below, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

Richard J. Birmingham	richardbirmingham@dwt.com
Christine Hawkins	christinehawkins@dtw.com
Wm. Brent Hamilton Jr.	brenthamilton@dwt.com

I certify under the penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

EXECUTED this 31st day of January, 2022, at Olympia, Washington.

s/ William McGinty

WILLIAM MCGINTY
Assistant Attorney General